

THE HONORABLE KYMBERLY K. EVANSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TONNY STOREY, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

AMAZON.COM, INC. and AMAZON.COM
SERVICES LLC,

Defendants.

NO. 2:23-CV-01529-KKE

**STIPULATED MOTION AND ORDER
TO DISMISS DEFENDANT
AMAZON.COM, INC. AND SET
BRIEFING SCHEDULE**

NOTE ON MOTION CALENDAR:
OCTOBER 11, 2023

Pursuant to Civil Local Rules 7(d)(1) and 10(g), Plaintiff Tonny Storey and Defendants Amazon.com, Inc. and Amazon.com Services LLC (collectively, “the Parties”), by and through their respective attorneys, hereby move the Court to enter an order dismissing defendant Amazon.com, Inc. without prejudice from this lawsuit, and setting a briefing schedule for Amazon.com Services LLC’s anticipated motion to dismiss. In support of the foregoing request for relief, the Parties state as follows:

1. On September 15, 2023, Tonny Storey filed a putative class action complaint (“the Complaint”) against Amazon.com, Inc. and Amazon.com Services LLC (“the Defendants”) in the Superior Court of Washington for King County. Defendants timely filed a Notice of Removal, removing the matter to this Court (Dkt. 1).

STIPULATED MOTION AND ORDER
(No. 2:23-cv-01529-KKE)

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2. Defendants' current deadline to respond to the Complaint is October 11, 2023 (FRCP 81(c)).

3. On October 3, 2023, the Parties' counsel engaged in a telephone call whereupon Defendants requested additional time to answer or otherwise respond to the Complaint, and explained that Amazon.com, Inc. was not a proper defendant and that Amazon.com Services LLC would be the proper defendant, if any.

4. Moreover, the Parties conferred and agreed that in light of the travel schedules of their respective counsel and the upcoming holiday season, a modified/extended briefing schedule would be appropriate.

5. Accordingly, the Parties stipulate and respectfully move the Court to enter an order enter an order dismissing defendant Amazon.com, Inc. without prejudice from this lawsuit, and setting a briefing schedule for Amazon.com Services LLC's anticipated motion to dismiss:

Event	Current Deadline	New Deadline
Deadline for Defendant's motion to dismiss	October 11, 2023	December 1, 2023
Deadline for Plaintiff's Opposition to Motion to Dismiss	N/A	January 19, 2024
Deadline for Defendant's Reply in Support of Motion to Dismiss	N/A	February 9, 2024

6. The Parties have not sought any prior extension of time and the proposed briefing schedule will not impact any previously scheduled dates in this matter.

1 DATED: October 11, 2023

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Counsel for Plaintiff
Tonny Storey

ORDER

The parties' stipulated motion (Dkt. No. 8) is GRANTED. Defendant Amazon.com, Inc., is DISMISSED without prejudice. Defendant Amazon.com Services LLC may file a motion to dismiss no later than December 1, 2023; Plaintiff may file an opposition to that motion no later than January 19, 2024; and Defendant may file a reply no later than February 9, 2024.

Dated this 11th day of October, 2023.



Kymberly K. Evanson
United States District Judge

Presented by:

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